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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/580,171	02/28/2007	David Hyman Gordon	06-40119-US	3769
7590 Louis M Heidelberger Redd Smith 2500 One Liberty Place 1650 Market Street Philadelphia, PA 19103	04/29/2010		EXAMINER MOHANDESI, IRAJ A	
			ART UNIT 2839	PAPER NUMBER
			MAIL DATE 04/29/2010	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/580,171	GORDON, DAVID HYMAN
	Examiner	Art Unit
	IRAJ A. MOHANDESI	2839

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 12 September 2007.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 38-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 38-44 and 47-55 is/are rejected.
- 7) Claim(s) 45 and 46 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>07/06/2006</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 0405799.8, filed on 03/15/2004 and 0326879.4 filed on 11/19/2003.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 07/06/2006.
3. The submission is in compliance with the provisions of 37 CFR 1.97.

Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over DMW Japan: KK; 2033083231 and view of Spee US patent 5,798,631.
6. Regarding claim 38, DMW Japan: KK; 2033083231 discloses a system for converting electrical power produced by wind generators into A.C. power for use in providing electrical power for a building (see Fig. 1 and abstract, line 3) to supplement or replace electrical power supply from the national grid, the system comprising one or more wind generators (3, Fig. 1) for producing A.C. from wind power.

Art Unit: 2839

7. DMW Japan:KK; 2033083231 teaches all limitation of claimed invention except a control unit for converting the generated A.C. into A.C.

8. Spee US patent 5,798,631 discloses a method for double fed machine having a control unit for converting the generated A.C. into A.C (1 and 2, Fig. 9) for the purpose of connecting the out put voltage of the wind power generation the building electrical line.

9. It would have been obvious to one having ordinary skill in th4e art the time the invention was made to combine DMW Japan:KK; 2033083231 with a control unit for converting the generated A.C. into A.C as taught by Spee US patent 5,798,631 for the purpose of mentioned above.

10. Regarding claim 41,DMW Japan:KK; 2033083231 discloses a system for converting electrical power produced by wind generators, wherein the or each wind generator is mounted on a platform that is itself mounted on a roof or other suitable structure (see Fig. 1).

11. Regarding claim 44,DMW Japan:KK; 2033083231 discloses a system for converting electrical power produced by wind generators, wherein the wind generator has a tail fin offset towards the opposite side of the support pole 2,Fig.1).

12. Regarding claims 48-51 and 53, Spee US patent 5,798,631 discloses a method for double fed machine ,wherein A.C. current produced by the wind generators is taken through a full wave internally or externally mounted rectifier (28,Fig. front page) to convert it to D.C and from the rectifier (38) the D.C. is converted to square wave and D.C. is converted to A.C. by means of a chopper circuit (converter 1 and 2) and having

means for converting the converted A.C. to sine wave A.C (1 and 2) and including means (converter 1 and 2) for producing the sine wave A.C., so as to be in phase with and at the same voltage as the A.C.

13. Regarding claim 54 and 55, DMW Japan:KK; 2033083231 discloses a system for converting electrical power produced by wind generators provided in a box or case to which the wind generators can be connected and which itself can be connected into the electrical circuitry of the building to feed the load thereon (see the abstract) and a plurality of wind generators in at least two rows (see Fig.1) , wherein generators of any one row are at a different height to those of adjacent rows and/or a wind generator of one row is offset relative to any wind generators of an adjacent row (Fig.1).

14. Claims 39, 40,42 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over combination of DMW Japan:KK; 2033083231/Spee US patent 5,798,631 and further in view of Wiedeman Us patent 4,159,427.

15. Combination of DMW Japan:KK; 2033083231/Spee'631 teaches all limitation of claimed invention except for wherein the or each wind generator is mounted on a height adjustable pole and the height of the pole is telescopically adjustable and the wind generators are rotatably mounted on a support pole off centre thereof.

16. Wiedeman'427 discloses an apparatus having wind generator is mounted on a height adjustable pole and the height of the pole is telescopically adjustable (see column 7, line 65 and column 8, line 2) and the wind generators are rotatably mounted on a support pole off centre thereof (see Fig.3) for the purpose of covering larger wind surface.

17. It would have been obvious to one having ordinary skill in the art the time the invention was made to modify the combination of DMW Japan:KK; 2033083231 Spee'631 by wind generator is mounted on a height adjustable pole and the height of the pole is telescopically adjustable and the wind generators are rotatably mounted on a support as taught by Wiedeman'427 for the purpose mentioned above.

18. The combination of DMW Japan:KK; 2033083231/ Spee'631modified by Wiedeman'427 teaches all limitation of claimed invention except a wind generator, which has a three-bladed rotor and the means for converting A.C. to sine wave A.C. is a constant voltage transformer.

19. Regarding claim 47, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a wind generator has a three-bladed rotor, since it has been held that where the general condition of a claim are disclose in the prior art, discovering the optimum or workable range involves only routine skill in the art.

In re Allier, 105 USPQ 233.

20. Regarding claim 52 Jones US patent 7,656,052 discloses a power converter wherein the means for converting A.C. to sine wave A.C. is a constant voltage transformer (16,see Fig.1) for the purpose of converting the ac voltage to ac.

21. It would have been obvious to one having ordinary skill in th4e art the time the invention was made to improve the combination of DMW Japan:KK; 2033083231/ Spee'631modified by Wiedeman'427 with a constant voltage transformer as taught by Jones'052 for the purpose of mentioned above.

Allowable Subject Matter

22. Claims 45 and 46 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to IRAJ A. MOHANDESI whose telephone number is (571)272-2028. The examiner can normally be reached on Monday -Thursday.

24. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tulsidas Patel can be reached on 571-272-2098. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 10/580,171
Art Unit: 2839

Page 7

/Iraj A Mohandes/
Examiner, Art Unit 2839 March 3, 2010

/Julio C. Gonzalez/
Primary Examiner, Art Unit 2839